

**MINUTES**  
**PINE COUNTY BOARD OF ADJUSTMENT**  
**August 5, 2015 4:30 p.m.**  
**Pine County Health and Human Services Board Room**  
**1610 Hwy. 23, Sandstone, MN**

**Members Present:** David Koland, Tom Mestemacher, Richard Stepan, Gary Valvoda, and Carolyn Tuckner  
**Members Absent:** none  
**Staff Present:** Kelly Schroeder, Land Services Director and Caleb Anderson, Land and Resources Manager  
**Others Present:** Brenda Perrault, John Perrault, BJ Nordenstrom, Susan Kirk

**Call To Order:** 4:30 p.m.; Chairman Mestemacher asked all to rise and recite the Pledge of Allegiance to the Flag.

**Approval of Minutes:**

Valvoda/Stepan 5-0 to approve the Minutes of April 1, 2015 as presented.

**Committee Reports:**

None

**Hearings:**

**John and Brenda Perrault are requesting a variance at 52788 Grindstone Road West, Sandstone– Pine Parcel Number 12.5051.000; Section 21, Township 42, Range 21, (Dell Grove Township).**

- 1.) Pine County Shoreland Management Ordinance Section 5.21(A) requires a 100' setback for structures from the Ordinary High Water Level (OHWL). The owners are requesting a variance of 59' to place the structure 41' from the OHWL. The shore impact zone encompasses all land within 50' of the OHWL.

Staff **Caleb Anderson** gave an overview of the request. **Anderson** explained that the existing structure, which is to be torn down, is 26'5" from the OHWL. The proposed structure would be 41' from the OHWL. The shore impact zone extends to 50' from the OHWL. The other consideration for the variance request is that depending on which features are considered impervious surface, the site may exceed 25% lot coverage of impervious surface, which the ordinance prohibits. The ordinance does not address whether structure eaves or paver patio blocks are considered impervious surface.

**Chairman Mestemacher** opened the public hearing at 4:40 p.m.

The only public in attendance cited they were attending only because they plan to apply for a variance as well and wanted to observe the process.

**Chairman Mestemacher** closed the public hearing at 4:43p.m.

**Discussion/Decision on Variance Request:**

**Tuckner** stated that she saw no problem with the proposed project seeing as the proposed home will be farther from the lake than the current home.

**Mestemacher** questioned whether the entirety of the lot is sloped to the lake. **John Perrault** shared that only approximately within 20' of the OHWL is sloping to the lake. The remainder of the lot slopes back toward the road ditch.

**Mestemacher** asked whether the proposed home will be closer or farther from the road than the existing home. **John Perrault** responded that the proposed home will be farther from the road.

**Valvoda** questioned whether the DNR considers paver patio blocks as impervious surface. **Anderson** explained that they generally do and that DNR staff had offered to provide documentation as such. However, the documentation never arrived.

**Mestemacher** noted that plants offer a good filtration system for runoff and that maintaining the vegetation above the retaining wall will help reduce runoff of pollutants.

**Stepan** made the motion to approve the variance. **Mestemacher** seconded. **5-0 to approve the John Perrault and Brenda Perrault Variance Request with the condition that existing plants along patio edge be maintained or enhanced to act as natural filtration for runoff.**

**Old Business:**

None

**New Business:**

None

**ADJOURN**

***Tuckner/Stepan 5-0 to adjourn the meeting at 4:46 p.m.***

**ATTEST:**

  
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Tom Mestemacher, Chairman

  
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David Koland, Secretary